

"Johnson & Johnson strongly disagrees with the suggestion that a 1977 editorial in *The Lancet* reflects misconduct or warrants retroactive condemnation. While Johnson & Johnson respects *The Lancet's* commitment to ensuring a lack of bias in the materials it publishes, unfortunately, in this instance the journal is being used as part of ongoing and underhanded litigation tactics.

"At the time "Cosmetic Talc Powder" was published nearly 50 years ago, formal conflict-of-interest disclosure requirements for medical journals did not exist. The International Committee of Medical Journal Editors (ICMJE)—whose standards today govern disclosure practices—did not issue its first *Uniform Requirements for Manuscripts Submitted to Biomedical Journals* until after the 1977 *Lancet* editorial, and those early guidelines focused on standardizing manuscript format and authorship, not financial disclosures. Robust, standardized conflict-of-interest disclosure requirements, including those used by *The Lancet*, would not emerge until decades later. In that historical context, anonymous or unsigned editorials were a common and accepted practice at leading journals.

"Equally important, the contemporaneous record does not support the claim that the FDA was misled by the editorial. Historic documents reveal that Johnson & Johnson told FDA *at the time* both that Dr. Roe was one of the authors of the editorial and of his consulting relationship with industry. Drs. Rosner and Markowitz, who raised concerns to *The Lancet* and are themselves paid plaintiff side experts in the talc litigation, know all of this. They have seen these very documents yet chose to ignore them while advancing their made-for-litigation version of events.

"The same documents make clear that FDA expressly recognized that *The Lancet* publication was an editorial opinion piece—not original research. FDA records reflect that the agency did not treat the editorial as determinative scientific evidence and acknowledged uncertainty surrounding its conclusions while continuing its own independent evaluation of talc and talc testing methodologies. The editorial was one of many inputs in an ongoing debate and did not substitute for FDA decision-making.

"Nor were Dr. Roe's scientific views hidden or fleeting. In 1979, he publicly reaffirmed his position in a signed letter to *The Lancet* responding to commentary on cosmetic talc and

ovarian cancer, expressly standing by his earlier conclusions under his own name. That publication—open, transparent, and part of the peer scientific dialogue—demonstrates that his views were personal scientific opinions he was prepared to defend publicly. Suggesting that the editorial represents covert corporate advocacy fundamentally mischaracterizes the historical record. As does any allegation that Dr. Roe was compensated for his views. Contemporaneous documents show that it was Dr. Roe who approached Johnson & Johnson about his interest in drafting an editorial, and that Johnson & Johnson did not pay Dr. Roe.

"In short, the renewed focus on a nearly 50-year-old editorial arises entirely from certain plaintiffs' lawyers desire to breathe new life into a tall tale in the hopes of reframing historical scientific debates for their present-day courtroom narrative. That effort comes at the cost of besmirching Dr. Roe's good name, who the National Institutes of Health acknowledges made major contributions in areas such as carcinogenesis, cancer epidemiology, and cancer prevention over his 50-year career. It is shameful that these lawyers would involve *The Lancet* – one of the world's oldest and most widely read medical journals – in such tactics."